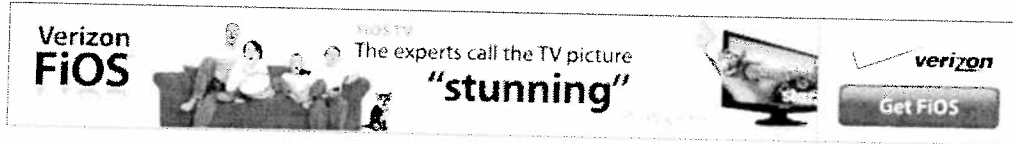


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The Word Is Out on Legal Tussles Among Creators of 'The Secret'

By ALLEN SALKIN
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The secret does not seem to have brought happiness to some of those involved in the creation of "The Secret." But perhaps high-priced lawyers will help.



Rhonda Byrne, author of the best seller "The Secret."

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Drew Heriot, the director of the film version of "The Secret."

This popular straight-to-video movie, and the best-selling self-help book based on it, promise that adherents to its philosophy will receive "unlimited happiness, love, health and prosperity," according to the official Web site, thesecret.tv. All they need do is follow "the law of attraction," an ancient principle that holds that the universe will make your wishes come true if only you really, truly believe in them. Following that creed before the movie's release in 2006, Rhonda Byrne, the project's creator, held parties celebrating its success, envisioning worldwide acclaim.

Nasty legal squabbling is most likely not what Ms. Byrne wished for. But it has nevertheless come to her: the director of the movie and the developer of the "Secret" Web site are separately claiming she has reneged on promises of a cut of the project's profits.

On Monday the movie's director, Drew Heriot, filed a copyright suit in United States District Court for the Northern District of Illinois, Eastern Division, against Ms. Byrne and her production company. The suit claims that Mr. Heriot is the co-author of the screenplay and the book and is therefore entitled to up to half of what his lawyers estimate as \$300 million in "Secret" revenue.

Originally scheduled to have its premiere on Australian television, "The Secret" turned into a Web and publishing phenomenon. At one point the "Secret" Web site was selling as many as five movies a minute (either as

downloads or DVDs), according to legal papers. The book version has spent 66 weeks on The New York Times's Advice best seller list, mostly near the top. Oprah Winfrey devoted two shows to it.

The suit alleges that Mr. Heriot worked on the screenplay, conducted most of the interviews for the film and supervised its editing and postproduction. The book, much of

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it a transcription of the movie, is based on documents Mr. Heriot created, the suit alleges.

Because he was an independent contractor and not an employee of Ms. Byrne's production company, Mr. Heriot retained rights to his creations, and Ms. Byrne promised him a percentage of profits, the suit argues.

Mr. Heriot wanted to make it clear that the problem wasn't his lack of faith in the ancient mysteries. "To all who have been inspired by 'The Secret,'" he said in a prepared statement sent by e-mail through his law firm, "please know that I am not suing the universal principles of 'The Secret.' Rather, I am suing the corporate principals behind 'The Secret,' who promised at the outset that profits would be shared, and who have not kept faith with 'The Secret's' tenets of gratitude and integrity."

Karina Carretero, a spokeswoman for TS Production L.L.C., the company Ms. Byrne and Robert E. Rainone Jr., an investor, had registered in Hungary, said the organization would not comment for this article. " 'The Secret' chooses not to participate in media interviews," she said in an e-mail message.

The legal wrangling over the project began in July 2007, when TS Production applied for the United States copyright to the "Secret" movie and spinoffs. The next month Mr. Heriot applied for copyright to "The Secret," claiming authorship of the movie and the screenplay.

Soon after that, TS Production filed suit in the Australian courts. Both Mr. Heriot and Ms. Byrne are Australian, and they began working on projects together around 2000. That's when Ms. Byrne, then a television producer, contracted with Mr. Heriot's production company for his services as an editor on "Australia Behaving Badly," a "Candid Camera"-style series.

In the Australian courts, TS Production has asked to be declared owner of all copyrights to the book and movie "The Secret."

Mr. Heriot, the court papers argue, "directed the film under the terms of his employment under a contract of service" with Ms. Byrne's company and is not entitled to any copyrights.

After filing suit in the United States, Mr. Heriot's lawyers filed a motion in the Federal Court of Australia, Victoria District Registry, notifying it that he had started litigation in the United States, the country where the copyright registrations had been filed, and asking it to postpone or dismiss its version of the case on jurisdictional grounds.

In its various forms, "The Secret" makes life look simple. "Ask, believe, receive," the movie instructs. Legal fights are not always so straightforward. Ms. Byrne herself is scheduled to be deposed May 6 in Los Angeles in a separate case involving Dan Hollings, who helped develop the "Secret" Web site.

In that case, TS Production and a related company, TS Merchandising, charge that Mr. Hollings has tried to profit illegally from his association with the project by releasing two CDs, "The Secret Symphony" and "Journey to the Secret: Stone, Strings & Udu." Using his expertise in search-engine optimization, the suit charges, Mr. Hollings drove Internet traffic to the Amazon.com Web pages where his CDs were for sale and to his own "Secret" look-alike site, know-more-secrets.com.

Mr. Hollings's lawyer Christopher E. Parker said in a telephone interview that Ms. Byrne and Mr. Rainone filed the lawsuit against Mr. Hollings only after an attempted mediation over compensation related to the official "Secret" Web site failed.

"Dan was promised a percentage of the profits that came as a result of the Web site," Mr.

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Parker said. "As soon as the movie started to sell, they fired him."

In mediation, Mr. Hollings had been offered a six-figure settlement but rejected it because he is owed 10 times that, Mr. Parker said.

In the lawsuit against Mr. Hollings, the TS principals argue that his actions continue to interfere with their business, and they ask the court to declare that they owe him nothing more.

The battle over proceeds seems a far cry from the munificent spirit Ms. Byrne espoused as her movie was first entering the self-help pantheon. In an interview conducted for The Times on the beach in Santa Monica in February 2007, she recalled how she had mortgaged everything she owned to finance the movie because she wanted to give the knowledge it contained to the world. Success was never about profit, she said, but about the journey of discovering what she was intended to do with her life.

"One of the big things in discovering the secret," she said, "was discovering me."

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